

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 BRENDA STINNETT GRAY,

5 Plaintiff,

6 v.

7 SOCIAL SECURITY,

8 Defendant.
9

Case No. 2:17-cv-02123-APG-NJK

**ORDER ON REPORT AND
RECOMMENDATION**

(ECF. Nos. 8, 9)

10 On January 4, 2018, Magistrate Judge Koppe entered a report and recommendation that I
11 dismiss the complaint because plaintiff Brenda Stinnett Gray did not file an amended complaint
12 by November 6, 2017 as ordered. Gray did not file an objection. Thus, I am not obligated to
13 conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring
14 district courts to “make a de novo determination of those portions of the report or specified
15 proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114,
16 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings
17 and recommendations de novo *if objection is made*, but not otherwise” (emphasis in original)).

18 After Judge Koppe entered her report and recommendation, Gray moved for a transfer of
19 this case to Indiana. Because there is no complaint to transfer, I deny that motion. However, I
20 dismiss the complaint without prejudice, so Gray may file a complaint in Indiana if she wishes to
21 continue to pursue a claim.

22 IT IS THEREFORE ORDERED that Judge Koppe’s report and recommendation (ECF
23 No. 8) is **accepted**, plaintiff Brenda Stinnett Gray’s motion to transfer (ECF No. 9) is **DENIED**,
24 and the complaint is dismissed without prejudice. The clerk of court is instructed to close this
25 case.

26 DATED this 2nd day of February, 2018.

27 
28 ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE